

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

UNITED STATES OF AMERICA *ex rel.*  
HARROLD E. (GENE) WRIGHT,

Plaintiffs,

v.

CHEVRON USA INC., *et al.*

Defendants.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

No. 5:03cv264

Chief Judge David Folsom

**MOTION FOR DISTRIBUTION OF \$7,683,000 FROM RELATOR'S SHARES  
ACCOUNT BASED UPON AGREED STIPULATION FOR DISTRIBUTION AND  
FINAL ARBITRATION AWARD**

Relators hereby file this Motion For Distribution of \$7,683,000.00 from Relator's Shares Account Based Upon Agreed Stipulation for Distribution and Final Arbitration Award and for Order Authorizing the Finance Clerk to Distribute the Settlement Funds From the Relator's Shares Account and state the following:

1. By Order dated June 26, 2009 (Dkt. No. 1624), the Court authorized the Finance Clerk for the United States District Court for the Eastern District of Texas to establish two accounts in the Court's registry in connection with this litigation. The accounts were established so that settlement funds could be deposited in the accounts by the United States of America and by one or more of the settling defendants. The first account is known as the Relator's Shares Account. The second account is known as the Statutory Fees Account.

2. Attached hereto as Exhibit 1 is an Agreed Stipulation for Distribution of \$7,683,000.00 from the Relator's Shares Account ("Stipulation"). The Agreed Stipulation has been signed by those parties to a Confidential Agreement Regarding Funds in the Registry of the

Court ("Confidential Agreement") who have an interest in the funds deposited in the Relator's Shares Account, save and except those parties that previously submitted their claims to arbitration (see below).

3. By Final Arbitration Award of June 8, 2011 (Attached as Exhibit 2), Arbitrator Roland K. Johnson determined that:

As between the following parties, future distributions from the Relator's Share Account, as defined in the Agreement, shall be paid:

- 1) 1.00% interest to Don Kennard;
- 2) .50% interest to Max Roesch;
- 3) 13.75% interest to Claimant [Pat S. Holloway]
- 4) 32.54% interest to Respondents [Elizabeth A. Wright and Bradley S. Wright, Co-Executors of the Estate of Harrold E. (Gene) Wright]

Ex. 2, Final Award of June 8, 2011, Sec. V.

6. Pursuant to the Agreed Stipulation and the Final Arbitration Award, Relators hereby move the Court to approve the Agreed Stipulation, Enforce the Final Arbitration Award, and enter an Order Authorizing the Finance Clerk to Distribute the Settlement Funds from the Relator's Shares account in accordance with Exhibits 1 and 2.

7. Counsel for the defendants and Counsel for the United States of America do not oppose this motion.

WHEREFORE, Relators pray that the Court Approve the Agreed Stipulation, enforce the Final Arbitration Award, and enter an Order Authorizing the Finance Clerk to Distribute the Settlement Funds from the Relator's Shares account in accordance with Schedule A attached to the Stipulation.

Respectfully submitted,



---

C. Cary Patterson  
State Bar No. 15587000  
Michael B. Angelovich  
State Bar No. 00785666  
Brady Paddock  
State Bar No. 00791394  
Ben King  
State Bar No. 24048592  
**NIX, PATTERSON & ROACH, LLP**  
2900 Saint Michael Drive, Suite 500  
Texarkana, Texas 75503  
Telephone: 903.223.3999  
Facsimile: 903.223.8520

K. Chris Todd  
David C. Frederick  
Silvija A. Strikis  
Joseph S. Hall  
Derek T. Ho  
**KELLOGG, HUBER, HANSEN, TODD,  
EVANS & FIGEL, P.L.L.C.**  
1615 M Street, N.W., Suite 400  
Washington, D.C. 20036  
Telephone: 202.326.7900  
Facsimile: 202.326.7999

Claude E. Welch (#21120500)  
**LAW OFFICES OF CLAUDE E. WELCH**  
115 West Shepherd Avenue  
P.O. Box 1574  
Lufkin, Texas 75902  
Telephone: 409.639.3311  
Facsimile: 409.639.3049

**ATTORNEYS FOR RELATORS**

**CERTIFICATE OF SERVICE**

The below signed hereby certifies that on the 10<sup>th</sup> day of November, 2011 the foregoing was electronically served on all counsel of record via email and also those who have elected to be served through the Court's electronic notification system.

A handwritten signature in black ink, appearing to read "Barry P. Lind", with a long horizontal stroke extending to the right.

---

Attorney for Relators